

JACK PARKER AND ASSOCIATES, INC.

ROCK MECHANICS • MINING • GEOLOGY

7165 TWIN LAKES ROAD, TOIVOLA, MICHIGAN 49965

June 2, 2011

Subject: **THE KENNECOTT EAGLE PROJECT IN UPPER MICHIGAN,
REVISITED, June 2011.**

Daniel Cozza
Water Division (WS-15J)
United States Environmental Protection Agency
Region 5
77 W. Jackson Blvd.
Chicago, IL 60604-3507

Dear Mr. Cozza:

The application for permits to mine should have been rejected when received, based on absence of merit – as described by experts for the opposition and by experts hired by the Michigan Department of Natural Resources and Environment - five years ago.

For reasons unknown the MDNRE failed to heed the experts and accepted the application. They failed to consider and enforce the new mining law (Part 632). They have since worked with the mining company (Rio Tinto/Kennecott – KEMC) and have issued permits on demand, again without merit and without regard for 632.

The application has been shown to be based on doctored design data, is therefore fraudulent, also dangerous in that insertion of corrected data shifts the theoretical “safety factors” into negative territory – which indicates a probability of crown pillar and mine collapse – thus endangerment to life, limb, property and environment – which 632 frowns upon (copy enclosed).

From an engineering point of view the worst aspect of the situation is that the principal actors, KEMC and the regulating agency (now MDEQ), simply ignore the incriminating evidence – probably a “smart” decision for them – because an independent investigation of the charges would find them to be valid. It would seem that failure to even investigate would make all responsible parties culpable if or when the structure does fail.

During five years of talk and court proceedings the only spark of independent evaluation and integrity has come from three Federal Agencies – the EPA, the FWS and the USACE, (the Environmental Protection Agency, the Fish and Wildlife Service and the US Army Corps of Engineers). As shown in their joint rejection of a permit (3.17. 2010) for construction of the so-called “Woodland Road” they saw through the KEMC/MDEQ deceptions, and said so. We agree with the holistic approach.

KEMC/MDEQ brushed the rejection aside without comment, as is their custom.